



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. WR-61,055-02

EX PARTE LINDA CARTY

ON APPLICATION FOR WRIT OF HABEAS CORPUS
CAUSE NO. 877592 IN THE 177TH JUDICIAL DISTRICT COURT
HARRIS COUNTY

Per curiam. KELLER, P.J., filed a dissenting opinion. *NEWELL, J., not participating.*

ORDER

This is a subsequent application for writ of habeas corpus filed pursuant to the provisions of Texas Code of Criminal Procedure Article 11.071, § 5.

In February 2002, Applicant was convicted of the offense of capital murder. The jury answered the special issues submitted pursuant to Texas Code of Criminal Procedure Article 37.071, and the trial court, accordingly, set punishment at death. This Court affirmed

Applicant's conviction and sentence on direct appeal. *Carty v. State*, No. AP-74,295 (Tex. Crim. App. April 7, 2004). This Court denied relief on Applicant's initial post-conviction application for writ of habeas corpus. *Ex parte Carty*, No. WR-61,055-01 (Tex. Crim. App. March 2, 2005). Applicant's instant post-conviction application for writ of habeas corpus was filed in the trial court on September 10, 2014.

Applicant presents six allegations. We have reviewed the application and find that Allegations A, B, and C satisfy the requirements of Texas Code of Criminal Procedure Article 11.071, § 5(a). Accordingly, we find that the requirements for consideration of a subsequent application have been met and the cause is remanded to the trial court for consideration of Allegations A, B, and C.

IT IS SO ORDERED THIS THE 25TH DAY OF FEBRUARY, 2015.

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